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REMARKS

Claims 1-47 and 51-64 are currently pending in this application. The Examiner has required, in the Official Action, a restriction of the pending claims to one of the following groups:

- Group I: Claims 1-20, 58 and 59, directed to parenteral vaccines;
- Group II: Claims 21-47, directed to adjuvant compositions; and
- Group III: Claims 51-57 and 60-64, directed to methods of preparing parenteral vaccines.

In addition, the Examiner has required the election of particular salt complexes as follows:

- (A) a single salt from either Group 2 or Group 4 of the Periodic Table (e.g., selected from the cations Mg, Ca, Sr, Ba, Ra, Ti, Zr, Hf and Rf) and a single conjugate selected from the group consisting of oxides, peroxides, hydroxides, carbonates, phosphates, pyrophosphates, hydrogen phosphates, dihydrogen phosphates, sulphates, silicates and hydrates;
- (B) a single salt from either Group 2 or Group 4 of the Periodic Table and "several conjugates;" or
- (C) no more than three specific salt complexes.

As Applicants understand the Restriction Requirement, the elections (A) – (C) may be made in the alternative; *i.e.*, Applicants may elect specific salts according to the requirements of either (A), (B) or (C) above.

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In order to be fully responsive to the Requirement for Restriction, Applicants hereby elect, with traverse, to prosecute the claims of Group I (claims 1-20, 58 and 59) directed to parenteral vaccines. Applicants also elect to prosecute these claims with respect to the following three specific salt complexes: magnesium hydroxide, magnesium carbonate pentahydrate and titanium dioxide.

The foregoing election is being made to be fully responsive to the Requirement for Restriction. However, Applicants respectfully traverse the requirement and reserve the right to petition therefrom under 37 C.F.R. § 1.144. Applicants respectfully request reconsideration of the Restriction Requirement. Under Patent Office examining procedures, "if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." See, M.P.E.P. § 803 (emphasis added). The groups of claims designated by the Examiner do not, however, define compositions which are sufficiently distinct to warrant separate examination and searches. For example, the Examples of this application present data showing that magnesium salt complexes, in combination with a variety of different anions, may function as an effective adjuvant in vaccines of the present invention. Accordingly, Applicants submit

that, at the very least, the pending claims should be examined for such generic salt complexes.

Respectfully submitted,

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